



**COMMON COUNCIL MEETING
FINANCE, ASSESSMENT AND TAXATION COMMITTEE
Ginnie Farrell, Chair**

DATE: Tuesday, July 6, 2021

TIME: 5:30 p.m.

LOCATION: Common Council Chambers, 2nd Floor, City Hall

PUBLIC COMMENT PERIOD: YES

TOPIC(S) OF DISCUSSION/CONSIDERATION:

Update from the Budget Director and Treasurer on City's Financial Position and Federal COVID Relief Money

ORDINANCE 11.32.21

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO AUMAND RESTORATIONS, LLC OF 948 BROADWAY (Tax Map Parcel Number 65.16-1-32)

ORDINANCE 12.51.21R

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO BRENDA ROBINSON OF 256 LIVINGSTON AVENUE (Tax Map Parcel Number 65.65-5-16) AND 258 LIVINGSTON AVENUE (Tax Map Parcel Number 65.65-5-15)

ORDINANCE 14.52.21

AN ORDINANCE AUTHORIZING THE SALE TO BURKE COMMUNITY SERVICE CORPORATION OF A PORTION OF THE CITY-OWNED DELAWARE PAPER STREET AND A PORTION OF THE CITY-OWNED ALEXANDER PAPER STREET

ORDINANCE 16.52.21

AN ORDINANCE AUTHORIZING THE SALE TO DR. BRENDA ROBINSON OF THE CITY-OWNED PROPERTY LOCATED AT 23 LARK STREET (Tax Map Parcel Number 65.65-5-19)

ORDINANCE 19.61.21

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT TO 1053 BREWING, LLC OF AN EASEMENT IN THE CITY OF ALBANY OVER A PORTION OF THE CITY RIGHT-OF-WAY OF BRIDGE STREET FOR THE CONSTRUCTION AND MAINTENANCE OF AN ADA COMPLIANT RAMP AND DECK AT DRUTHERS BREWING COMPANY

Council Member Kimbrough introduced the following:

ORDINANCE 11.32.21

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO AUMAND RESTORATIONS, LLC OF 948 BROADWAY (Tax Map Parcel Number 65.16-1-32)

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby ordered and directed that all the right, title, and interest of the City of Albany in and to the 0.02± acre parcel at 948 Broadway (Tax Map Parcel Number 65.16-1-32), be sold at private sale pursuant to the provisions of Local Law No. 4 of 1984 to Aumand Restorations, LLC.

SUBJECT to all easements, restrictions and rights of way of record.

Section 2. It is hereby determined that the aforesaid property has been abandoned for municipal or public purposes.

Section 3. The form, content, terms and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for a valuable consideration.

Section 4. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
5TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Brett Williams, Esq., Sr. Assistant Corporation Counsel
**Re: Request for Common Council Legislation
Supporting Memorandum**
Date: March 5, 2021

SPONSOR Council Member Kimbrough

ORDINANCE 11.32.21

TITLE

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO AUMAND RESTORATIONS, LLC OF 948 BROADWAY (Tax Map Parcel Number 65.16-1-32)

GENERAL PURPOSE OF LEGISLATION

The purchaser Aumand Restorations, LLC, is planning to acquire both the subject property and the adjoining parcel, 952 Broadway (currently owned by Beyond Fitness, LLC).

According to the purchaser, the proposed project, spanning both parcels, would rehabilitate the existing building on 952 Broadway and construct a new addition on its west end, “with sprawling patios around the entire structure. The venue would be a bar/restaurant with extensive outdoor seating and games. The small [city-owned] parcel in question which now contains a boarded up water department ‘pump station’ is integral to the overall design of the project.”

The project has not yet gone before the Technical Review Committee, but the purchaser has already reached out to the Water Department.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

The sale of City-owned property requires Common Council approval.

FISCAL IMPACT(S)

No sale price has been determined yet. The property is listed as having a full market value of \$35,011 on the 2020 assessment roll.

Council Member Love introduced the following:

ORDINANCE 12.51.21R

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO BRENDA ROBINSON OF 256 LIVINGSTON AVENUE (Tax Map Parcel Number 65.65-5-16) AND 258 LIVINGSTON AVENUE (Tax Map Parcel Number 65.65-5-15)

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby ordered and directed that all the right, title, and interest of the City of Albany in and to the 0.06± acre parcel at 256 Livingston Avenue (Tax Map Parcel Number 65.65-5-16), be sold at private sale, pursuant to the provisions of Local Law No. 4 of 1984, to Brenda Robinson.

SUBJECT to all easements, restrictions, and rights of way of record.

Section 2. It is hereby ordered and directed that all the right, title, and interest of the City of Albany in and to the 0.09± acre parcel at 258 Livingston Avenue (Tax Map Parcel Number 65.65-5-15), be sold at private sale, pursuant to the provisions of Local Law No. 4 of 1984, to Brenda Robinson.

SUBJECT to all easements, restrictions, and rights of way of record.

Section 3. It is hereby determined that the aforesaid properties have been abandoned for municipal or public purposes.

Section 4. The form, content, terms, and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for valuable consideration.

Section 5. This ordinance shall take effect immediately.

APPROVED AS TO FORM THIS

22ND DAY OF APRIL, 2021

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Brett Williams, Esq., Sr. Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 22, 2021
SPONSOR Council Member Love
ORDINANCE 12.51.21R

TITLE

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO BRENDA ROBINSON OF 256 LIVINGSTON AVENUE (Tax Map Parcel Number 65.65-5-16) AND 258 LIVINGSTON AVENUE (Tax Map Parcel Number 65.65-5-15)

GENERAL PURPOSE OF LEGISLATION

The adjacent property owner, Dr. Brenda Robinson, wishes to purchase these properties.

No objections to the sales were raised at the April 22, 2021 Technical Review Committee meeting.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

The sale of City-owned property requires Common Council approval.

FISCAL IMPACT(S)

No sale price has yet been determined. 256 Lancaster has a full market value of \$2,248 according to the 2020 assessment roll and 258 Livingston has a full market value of \$2,784.

Council Members Frederick and Johnson introduced the following:

ORDINANCE 14.52.21

AN ORDINANCE AUTHORIZING THE SALE TO BURKE COMMUNITY SERVICE CORPORATION OF A PORTION OF THE CITY-OWNED DELAWARE PAPER STREET AND A PORTION OF THE CITY-OWNED ALEXANDER PAPER STREET

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to a 0.42± acre portion of the Delaware Paper Street, which portion borders 254 South Swan Street and 99 Slingerland Street, and is more fully described in the legal description and survey map attached hereto, be sold at private sale pursuant to the provisions of Local Law No. 4 of 1984 to Burke Community Service Corporation.

SUBJECT to all easements, restrictions, and rights of way of record.

Section 2. It is hereby ordered and directed that all the right, title and interest of the city of Albany in and to a 0.93± acre portion of the Alexander Paper Street, which portion borders 150-168 Third Avenue, 164 South Hawk Street, 180 South Hawk Street, 44 South Dove Street, and 166 Delaware Street, and is more fully described in the legal description and survey map attached hereto, be sold at private sale pursuant to the provisions of Local Law No. 4 to Burke Community Service Corporation.

SUBJECT to all easements, restrictions, and rights of way of record.

Section 3. It is hereby determined that the aforesaid properties have been abandoned for municipal or public purposes.

Section 4. The form, content, terms, and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for valuable consideration.

Section 5. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
7TH DAY OF MAY, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Brett Williams, Esq., Sr. Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: May 4, 2021

SPONSOR Council Members Frederick and Johnson

ORDINANCE 14.52.21

TITLE

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO BURKE COMMUNITY SERVICE CORPORATION OF A PORTION OF THE CITY-OWNED DELAWARE PAPER STREET AND A PORTION OF THE CITY-OWNED ALEXANDER PAPER STREET

GENERAL PURPOSE OF LEGISLATION

Green Tech Charter High School currently leases its building(s) and grounds from Burke Community Service Corporation, an entity under the aegis of the Roman Catholic Diocese of Albany. Green Tech is in the process of attempting to purchase from the Diocese the land and building(s) it currently leases.

However, there are two paper streets that run through and between the parcels Green Tech seeks to purchase from the Diocese: the Delaware Paper Street and the Alexander Paper Street. In order for Green Tech to be able to purchase its entire, contiguous grounds, the City needs to sell portions of these paper streets to the Diocese, which it will then, in turn, sell to Green Tech.

The portions of the paper streets to be sold are shown shaded in red on the survey map annexed hereto, and are described more fully in the legal descriptions also attached herewith.

The City will not receive monetary remuneration for this transaction. Instead, in exchange for the paper streets, the City will receive an easement to construct a walking path where an informal “goat track” currently exists across the Green Tech/Diocesan property, between the end of South Swan Street and the cul-de-sac at the end of Boenau Street.

This project and the sale of City-owned property related thereto have received approval from the Technical Review Committee

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

The sale of City-owned property requires Common Council approval.

FISCAL IMPACT(S)

There will be no direct fiscal impact because of this sale. Two appraisal reports prepared by Conti Appraisal and Consulting are annexed hereto. One report appraises the value of the two paper streets to be sold at a combined \$45,000. The other report ascribes a combined value of \$70,000 to the permanent easement rights the City will obtain.

Council Member Love introduced the following:

ORDINANCE 16.52.21

AN ORDINANCE AUTHORIZING THE SALE TO DR. BRENDA ROBINSON OF THE CITY-OWNED PROPERTY LOCATED AT 23 LARK STREET (Tax Map Parcel Number 65.65-5-19)

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to the vacant, 0.05± acre parcel at 23 Lark Street (tax map parcel number 65.65-5-19) be sold at private sale, pursuant to the provisions of Local Law No. 4 of 1984, to Dr. Brenda Robinson,

SUBJECT to all easements, restrictions, and rights of way of record.

Section 2. It is hereby determined that the aforesaid property has been abandoned for municipal or public purposes.

Section 3. The form, content, terms, and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for valuable consideration.

Section 4. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
11TH DAY OF MAY, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Brett Williams, Esq., Sr. Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: May 7, 2021
SPONSOR Council Member Love

ORDINANCE 16.52.21

TITLE

AN ORDINANCE AUTHORIZING THE SALE TO DR. BRENDA ROBINSON OF THE CITY-OWNED PROPERTY LOCATED AT 23 LARK STREET

GENERAL PURPOSE OF LEGISLATION

The adjacent property owner, Dr. Brenda Robinson, wishes to purchase these properties.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

The sale of City-owned property requires Common Council approval.

FISCAL IMPACT(S)

There will be no direct fiscal impact because of this sale. The properties are assessed at \$1,500 each and will be sold for that amount.

Council Member Kimbrough introduced the following:

ORDINANCE 19.61.21

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT TO 1053 BREWING, LLC OF AN EASEMENT IN THE CITY OF ALBANY OVER A PORTION OF THE CITY RIGHT-OF-WAY OF BRIDGE STREET FOR THE CONSTRUCTION AND MAINTENANCE OF AN ADA COMPLIANT RAMP AND DECK AT DRUTHERS BREWING COMPANY

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby authorized that the City of Albany grants an easement to 1053 Brewing, LLC over a portion of the Bridge Street right-of-way in the area of 1053 Broadway in the City of Albany for the purpose of construction and maintenance of an ADA compliant ramp and deck as requested by the property owner, and as described more fully in the legal description attached hereto.

Section 2. The form, content, terms and conditions of such easement shall be approved by the Corporation Counsel.

Section 3. The Grantee shall not hinder, interfere with, prevent, delay, obstruct, or adversely affect the Grantor in the reasonable exercise of its governmental operations or functions.

Section 4. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
27TH DAY OF MAY, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Laura Gulfo, Assistant Corporation Counsel
Brett Williams, Senior Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: May 27, 2021
Sponsor: Council Member Kimbrough

ORDINANCE 19.61.21

TITLE

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT TO 1053 BREWING, LLC OF AN EASEMENT IN THE CITY OF ALBANY, OVER A PORTION OF THE CITY RIGHT-OF-WAY OF BRIDGE STREET FOR THE CONSTRUCTION AND MAINTENANCE OF AN ADA COMPLIANT RAMP AND DECK AT DRUTHERS BREWING COMPANY

GENERAL PURPOSE OF THE LEGISLATION

The purpose of this ordinance is to grant an easement to 1053 Brewing, LLC, so that an ADA-compliant deck and ramp may be constructed, installed, and maintained at Druthers Brewing Company to accommodate the need for additional outdoor seating in the City's Bridge Street right-of-way.

Chris Martell, the owner of the company 1053 Brewing, LLC, which owns 1053 Broadway and operates Druthers Brewing Company, located at 1053 Broadway, seeks an easement to install, construct, and maintain an ADA-Compliant ramp and deck for additional seating at Druthers. Mr. Martell submitted an application for an area variance for the installation and construction of an ADA-compliant ramp and deck to add to the existing structure at 1053 Broadway. Before requesting a variance and this easement, Mr. Martell explored other options, such as purchasing 1043 Broadway and building a rooftop deck to accommodate additional outdoor seating. For various reasons, neither option was available to Mr. Martell.

A draft of the easement and a site plan map of the proposed ramp and deck are included herewith.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Common Council approval is required for land transactions, such as the granting of a permanent easement in the City's right-of-way.

FISCAL IMPACT

None.